IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 12241 of 2004

Between:

Muppavarapu Venkata Sivalingaiah, s/o Sivaramakrishnaiah
R/o Thakkellapadu, Peddakakani Mandal, Guntur District.

..... PETITIONER

AND

The Special Officer and Competent Authority,
Urban Land Ceiling, Arundelpet, Guntur

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue any Writ or order or direction more particularly one in the nature of Writ of Mandamus directing the Respondent to consider the petitioner's representation dt 2-1-2004 in file No. ULC. 320/79 as per the instructions/guidelines issued by the Government of India as per letter No. 3/1/97 UCU(2), dated 21-5-1997 and further declare that the
inaction of the respondent in not considering the petitioner's representation dt 2-1-2004 as illegal, arbitrary.

Counsel for the Petitioner: MR.RAJA REDDY KONETI, Advocate

Counsel for the Respondent: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

By this writ petition, the petitioner seeks a direction to the respondent-Special Officer and Competent Authority, Urban Land Ceiling, Guntur to consider and pass orders on the representation dated 2-1-2004 made by him for determination of the holding of his family in the light of the guidelines issued by the Government of India, Ministry of Urban Affairs and Employment (Department of Urban Development), Nirman Bhavan, New Delhi in Lr. No.3/1/97 UCU (1), dated 21-05-1997.

The grievance of the petitioner is that without calling for the objections of his family, the respondent passed order under the provisions of Urban Land (Ceiling and Regulation) Act, 1976 declaring his family holding as 2000 square metres and the rest of their land over and above the said holding as surplus, for which the petitioner made a representation dated 2-1-2004 to the respondent for re-determination of the holding of his family in terms of the guidelines issued by the Government of India, but the respondent has not considered his representation so far. Questioning the action of the respondent in not considering his representation, the present writ petition is filed.

Having heard the learned counsel for petitioner and having regard to the facts and circumstances of the case, and having regard to the fact that the representation said to have been filed by the petitioner is pending with the respondent, without going into the merits of the case, I deem it appropriate to dispose of the writ petition with the following directions:

If the representation dated 2-1-2004 of the petitioner is not yet disposed of, the respondent shall consider and dispose of the same in accordance with law and

pass appropriate orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

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N.V. RAMANA, J

Date: 16-07-2004

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To

1. The Special Officer and Competent Authority,Urban Land Ceiling, Arundelpet, Guntur

2. Two CCs. to Govt. Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT)

3. Two CD copies.